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REPORT OF THE UNITED NATIONS HIGH COMMISSIONER FOR REFUGEES, QUESTIONS RELATING TO REFUGEES, RETURNEES AND DISPLACED PERSONS AND HUMANITARIAN QUESTIONS

Report of the Third Committee

Rapporteur: Mr. Nikolai N. LEPESHKO (Belarus)

I. INTRODUCTION

1. At its 3rd plenary meeting, on 23 September 1994, the General Assembly, on the recommendation of the General Committee, decided to include in the agenda of its forty-ninth session the item entitled "Report of the United Nations High Commissioner for Refugees, questions relating to refugees, returnees and displaced persons and humanitarian questions" and to allocate it to the Third Committee.

2. The Committee considered the item at its 22nd to 26th, 32nd to 35th, 41st and 44th meetings, from 8 to 10 and on 16, 17, 23 and 28 November 1994. An account of the Committee's discussion is contained in the relevant summary records (A/C.3/49/SR.22-26, 32-35, 41 and 44).

3. For its consideration of the item, the Committee had before it the following documents:

(a) Report of the United Nations High Commissioner for Refugees; 1/

(b) Report of the Executive Committee of the Programme of the United Nations High Commissioner for Refugees on the work of its forty-fifth session (A/49/12/Add.1);

1/ Official Records of the General Assembly, Forty-ninth Session, Supplement No. 12 (A/49/12).

(c) Report of the Secretary-General on emergency international assistance to refugees and displaced persons in Azerbaijan (A/49/380 and Add.1);

(d) Report of the Secretary-General on the convening of a United Nations conference for the comprehensive consideration and review of the problems of refugees, returnees, displaced persons and migrants (A/49/533);

(e) Report of the Secretary-General on the International Conference on Central American Refugees (A/49/534);

(f) Report of the Secretary-General on a new international humanitarian order (A/49/577 and Corr.1);

(g) Report of the Secretary-General on assistance to refugees, returnees and displaced persons in Africa (A/49/578);

(h) Letter dated 15 February 1994 from the Chargé d'affaires a.i. of Gabon to the United Nations addressed to the Secretary-General (A/49/75-S/1994/180);

(i) Letter dated 3 June 1994 from the Permanent Representative of Croatia to the United Nations addressed to the Secretary-General (A/49/170-S/1994/659);

(j) Letter dated 22 June 1994 from the Permanent Representative of Croatia to the United Nations addressed to the Secretary-General (A/49/186);

(k) Letter dated 6 July 1994 from the Chargé d'affaires a.i. of the Permanent Mission of Yugoslavia to the United Nations addressed to the Secretary-General (A/49/218-S/1994/801);

(l) Letter dated 25 June 1994 from the Minister for Foreign Affairs of Egypt to the Secretary-General transmitting the texts of the documents adopted by the Eleventh Ministerial Conference of the Movement of Non-Aligned Countries, held at Cairo from 31 May to 3 June 1994 (A/49/287-S/1994/894 and Corr.1);

(m) Letter dated 8 November 1994 from the Permanent Representative of Turkey to the United Nations addressed to the Secretary-General (A/49/666-S/1994/1278);

(n) Letter dated 14 November 1994 from the Permanent Representative of Turkey to the United Nations addressed to the Secretary-General (A/49/674-S/1994/1303);

(o) Letter dated 18 November 1994 from the Permanent Representative of Turkey to the United Nations addressed to the Secretary-General (A/49/678-S/1994/1314);

(p) Letter dated 27 October 1994 from the Chargé d'affaires a.i. of the Permanent Mission of Yugoslavia to the United Nations addressed to the Secretary-General (A/C.3/49/12);

(q) Letter dated 21 November 1994 from the Permanent Representative of the former Yugoslav Republic of Macedonia to the United Nations addressed to the Secretary-General (A/C.3/49/21).

4. At the 23rd meeting, on 9 November, the United Nations High Commissioner for Refugees and the Officer-in-Charge of the Policy Analysis Branch of the Department of Humanitarian Affairs made introductory statements.

5. At the 26th meeting, on 10 November, the United Nations High Commissioner for Refugees made a concluding statement.

II. CONSIDERATION OF PROPOSALS

A. Draft resolution A/C.3/49/L.14

6. At the 32nd meeting, on 16 November, the representative of Sweden, on behalf of Afghanistan, Albania, Angola, Argentina, Armenia, Australia, Austria, Azerbaijan, Belize, Bulgaria, Chile, Costa Rica, Croatia, the Czech Republic, Denmark, the Dominican Republic, El Salvador, Eritrea, Ethiopia, Fiji, Finland, France, the Gambia, Georgia, Germany, Ghana, Greece, Guatemala, Honduras, Hungary, Iceland, Ireland, Israel, Italy, Japan, Jordan, Kenya, Liechtenstein, Luxembourg, Malawi, Monaco, Morocco, Mozambique, Namibia, the Netherlands, Nicaragua, Norway, Pakistan, Panama, Paraguay, Poland, Portugal, the Republic of Korea, Romania, Rwanda, Senegal, Slovakia, Slovenia, Solomon Islands, South Africa, Spain, the Sudan, Suriname, Sweden, Tajikistan, Thailand, the former Yugoslav Republic of Macedonia, Togo, the United Kingdom of Great Britain and Northern Ireland, the United States of America and Uruguay, as well as Cape Verde, Guinea Bissau, New Zealand and the Niger, introduced a draft resolution entitled "Office of the United Nations High Commissioner for Refugees" (A/C.3/49/L.14). Subsequently, Andorra, Belgium, Benin, Brazil, Burundi, Canada, Colombia, Cyprus, Egypt, Guyana, Malta, the Republic of Moldova and the Russian Federation joined in sponsoring the draft resolution.

7. In introducing the draft resolution, the representative of Sweden orally revised it as follows:

(a) In operative paragraph 12, the word "possible" was inserted after the words "to take all";

(b) In operative paragraph 22, the words "and developing" were inserted after the words "least developed".

8. At its 35th meeting, on 17 November, the Committee adopted draft resolution A/C.3/49/L.14, as orally revised (see para. 30, draft resolution I).

B. Draft resolution A/C.3/49/L.15

9. At the 32nd meeting, on 16 November, the representative of Jordan, on behalf of Bangladesh, Cyprus, Egypt, France, Honduras, Jordan, Lebanon, Mauritania, Morocco, Oman, Pakistan, Qatar, the Sudan, Togo and Yemen,

subsequently joined by Italy, Mauritius and the Philippines, introduced a draft resolution entitled "New international humanitarian order" (A/C.3/49/L.15).

10. At the 41st meeting, on 23 November, the representative of Jordan orally revised the draft resolution as follows:

(a) In operative paragraph 1, the word "Expressing" was replaced with the word "Expresses";

(b) In operative paragraph 3, the words "within their own countries" were inserted after the words "concern to them";

(c) In operative paragraph 4, the words "Governments and the" were inserted before the word "governmental";

(d) In operative paragraph 5, the words "and to report" were replaced with the words "in order to report";

11. At the same meeting, the Committee adopted draft resolution A/C.3/49/L.15, as orally revised (see para. 30, draft resolution II).

12. After the adoption of the draft resolution, the representatives of the United Kingdom of Great Britain and Northern Ireland and the United States of America made statements (see A/C.3/49/SR.41).

C. Draft resolution A/C.3/49/L.16

13. At the 33rd meeting, on 16 November, the representative of India, on behalf of Bangladesh, India and the Russian Federation, subsequently joined by Mauritius, introduced a draft resolution entitled "Enlargement of the Executive Committee of the Programme of the United Nations High Commissioner for Refugees" (A/C.3/49/L.16).

14. At the 44th meeting, on 28 November, the representative of India orally revised the draft resolution by inserting the words "the three" after the words "to elect" in operative paragraph 2.

15. At the same meeting, the Committee adopted draft resolution A/C.3/49/L.16, as orally revised (see para. 30, draft resolution III).

16. After the adoption of the draft resolution, the representatives of the United States of America and Germany (on behalf of the European Union, Austria, Finland, Norway and Sweden) made statements (see A/C.3/49/SR.44).

D. Draft resolution A/C.3/49/L.17 and Rev.1

17. At the 33rd meeting, on 16 November, the representative of the Sudan, on behalf of Jordan and the Sudan, subsequently joined by Guinea-Bissau and Morocco, introduced a draft resolution entitled "Assistance to unaccompanied refugee minors" (A/C.3/49/L.17) which read:

"The General Assembly,

"Having considered the reports of the Secretary-General, 2/ and the United Nations High Commissioner for Refugees, 3/

"Aware that the majority of the refugee population are children and women,

"Bearing in mind that unaccompanied refugee minors are among the most vulnerable sectors of refugees who require special assistance and care,

"Mindful of the fact that the ultimate solution to the plight of those unaccompanied minors is their reunification with their families,

"Noting with satisfaction that the Executive Committee of the Programme of the United Nations High Commissioner for Refugees considered at its forty-fourth session an information note on refugee children, 4/ and that finalized guidelines entitled "Refugee children: protection and care" were issued in May 1994,

"Noting with appreciation the efforts of the High Commissioner in the protection and assistance of refugees,

"Highly convinced that the Convention on the Rights of the Child 5/ represents a normative framework for action to protect and care for refugee children,

"1. Expresses its deep concern at the plight of unaccompanied refugee minors and the lack of transparency as to their location;

"2. Calls upon the Secretary-General, the United Nations High Commissioner for Refugees, all concerned United Nations agencies and non-governmental organizations to exert the maximum effort in expediting the reunification of the unaccompanied refugee minors with their families;

"3. Requests the Secretary-General to mobilize resources commensurate to the needs for the reintegration of the unaccompanied refugee minors with their families;

"4. Condemns the acts of exploiting the unaccompanied refugee minors as human shields and their recruitment for conscription in military

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2/ See A/49/411 and A.49/643.

3/ Official Records of the General Assembly, Forty-ninth Session, Supplement No. 12 and addendum (A/49/12).

4/ EC/SCP/81.

5/ Resolution 44/25.

insurgence, and any other acts that endanger their safety and personal security;

"5. Calls upon the Secretary-General, the United Nations High Commissioner for Refugees, the Department of Humanitarian Affairs of the Secretariat, the United Nations Children's Fund and other United Nations agencies to mobilize adequate assistance to unaccompanied minors in the areas of relief, education, health and psychological rehabilitation;

"6. Requests all countries, in particular the host countries, and the United Nations agencies and non-governmental organizations to pay greater attention to the special needs of the unaccompanied refugee minors, in particular their protection and the preservation of their well-being;

"7. Requests the Secretary-General to report to the General Assembly at its fiftieth session on the implementation of the present resolution."

18. In introducing the draft resolution, the representative of the Sudan orally revised it as follows:

(a) In the third preambular paragraph, the words "sectors of" were deleted and the word "who" was replaced with the word "and";

(b) The fifth preambular paragraph was replaced with the following:

"Noting with satisfaction that the Office of the United Nations High Commissioner for Refugees has developed revised guidelines on refugee children, issued in May 1994";

(c) In the sixth preambular paragraph, the words "in the protection" were replaced with the words "to ensure the protection", and the words ", including refugee children and unaccompanied minors" were added at the end of the paragraph;

(d) The seventh preambular paragraph was replaced with the following:

"Recalling the provisions concerning the protection of refugee minors of the Convention on the Rights of the Child and the 1951 Convention and the 1967 Protocol relating to the Status of Refugees";

(e) In operative paragraph 1, the word "location" was replaced with the words "number and whereabouts";

(f) Operative paragraph 2, was revised to read:

"2. Calls upon all Governments, the Secretary-General, the United Nations High Commissioner for Refugees, all other United Nations organizations and non-governmental organizations concerned to exert the maximum effort to assist and protect refugee minors and to expedite the reunification of unaccompanied refugee minors with their families, in conformity with the relevant provisions of the Convention on the Rights of the Child";

(g) Operative paragraph 3 was replaced with the following:

"3. Requests the Office of the United Nations High Commissioner for Refugees and other United Nations organizations concerned to mobilize resources commensurate to the needs and interests of the unaccompanied refugee minors and for their reunification with their families";

(h) Operative paragraph 4 was revised to read:

"4. Condemns all acts of exploiting the unaccompanied refugee minors, including their use as human shields in armed conflict and their recruitment for conscription in military service, and any other acts that endanger their safety and personal security";

(i) Operative paragraph 6 was deleted;

(j) Operative paragraph 7 was renumbered as operative paragraph 6.

19. At its 44th meeting, on 28 November, the Committee had before it revised draft resolution A/C.3/49/L.17/Rev.1, which incorporated the oral revisions set out in paragraph 18 above.

20. At the same meeting, the representative of the Sudan orally revised draft resolution A/C.3/49/L.17/Rev.1 as follows:

(a) In the fourth preambular paragraph, the words "return to and" were inserted before the words "reunification with their families";

(b) In operative paragraph 1, the words "the lack of transparency as to their number and whereabouts" were deleted; and replaced with the words "emphasizes the need for their early identification and for timely, detailed and accurate information on their number and whereabouts";

(c) In operative paragraph 2, the words "return to and" were inserted after the words "expedite the" and the words "in conformity with the relevant provisions of the Convention on the Rights of the Child" were deleted at the end of the paragraph;

(d) In operative paragraph 3, the words "to take appropriate steps" were inserted before the words "to mobilize resources";

(e) In operative paragraph 4, the words "soldiers or" were inserted before the words "human shields", and the words "for conscription in military service" were replaced with the words "in military forces";

(f) In operative paragraph 5, the words "within existing resources" were inserted after the words "adequate assistance".

21. At the same meeting, Angola, the Comoros, Côte d'Ivoire, France, Georgia, Guinea, Mauritania, Mauritius, Nigeria, Turkey, the United States of America and Yemen joined in sponsoring the revised draft resolution.

22. Also at the same meeting, the Committee adopted draft resolution A/C.3/49/L.17/Rev.1, as orally revised (see para. 30, draft resolution IV).

E. Draft resolution A/C.3/49/L.18/Rev.1

23. At the 41st meeting, on 23 November, the representative of the Russian Federation, on behalf of Armenia, Azerbaijan, Belarus, Georgia, Kazakhstan, Kyrgyzstan, the Russian Federation, Tajikistan and Turkmenistan, joined subsequently by Austria, Denmark, Finland, Germany, Hungary, Iceland, the Islamic Republic of Iran, Italy, Latvia, Morocco, the Netherlands, Norway, Sweden and the United Kingdom of Great Britain and Northern Ireland, introduced a revised draft resolution entitled "Comprehensive consideration and review of the problems of refugees, returnees, displaced persons and related migratory movements" (A/C.3/49/L.18/Rev.1).

24. In introducing the draft resolution, the representative of the Russian Federation orally revised it as follows:

(a) In the second preambular paragraph, the words "countries of the" were inserted before the word "Commonwealth";

(b) In operative paragraph 1, the word "regional" was inserted after the word "intergovernmental";

(c) In operative paragraph 2, the words "countries of the" were inserted before the word "Commonwealth" and the word "regional" was inserted after the word "intergovernmental";

(d) Operative paragraph 3 was deleted;

(e) Operative paragraph 4 was renumbered as operative paragraph 3.

25. At its 44th meeting on 28 November, the Committee adopted draft resolution A/C.3/49/L.18/Rev.1, as orally revised (see para. 30, draft resolution V).

F. Draft resolution A/C.3/49/L.19

26. At the 34th meeting, on 17 November, the representative of Ghana, on behalf of the States Members of the United Nations that are members of the Group of African States, introduced a draft resolution entitled "Assistance to refugees, returnees, and displaced persons in Africa" (A/C.3/49/L.19).

27. In introducing the draft resolution, the representative of Ghana orally revised the antepenultimate preambular paragraph by deleting the words "devastating and" before the word "persistent" and replacing the word "hosting" with the words "having hosted".

28. At its 44th meeting, on 28 November, the Committee adopted draft resolution A/C.3/49/L.19, as orally revised (see para. 30, draft resolution VI).

G. Draft decision

29. At its 44th meeting, on 28 November, on the proposal of the Chairman, the Committee adopted a draft decision by which the General Assembly would take note of documents considered under the item (see para. 31).

III. RECOMMENDATIONS OF THE THIRD COMMITTEE

30. The Third Committee recommends to the General Assembly the adoption of the following draft resolutions:

Draft resolution I

Office of the United Nations High Commissioner for Refugees

The General Assembly,

Having considered the report of the United Nations High Commissioner for Refugees on the activities of her Office 6/ and the report of the Executive Committee of the Programme of the High Commissioner on the work of its forty-fifth session, 7/ and taking note of the statement made by the High Commissioner on 9 November 1994, 8/

Recalling its resolution 48/116 of 20 December 1993,

Expressing deep concern at the immense human suffering and loss of life which have accompanied recent crises involving refugee flows and other forced displacements, as well as the magnitude and complexity of current refugee problems, which have made more difficult the accomplishment of the High Commissioner's crucial functions of ensuring international protection for refugees and achieving timely and durable solutions to their plight,

Reaffirming the importance of the 1951 Convention 9/ and the 1967 Protocol 10/ relating to the Status of Refugees as the cornerstone of the international system for the protection of refugees, and noting with satisfaction that one hundred and twenty-seven States are now parties to one or both instruments,

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6/ Official Records of the General Assembly, Forty-ninth Session, Supplement No. 12 (A/49/12).

7/ Ibid., Supplement No. 12A (A/49/12/Add.1).

8/ Ibid., Third Committee, 23rd meeting.

9/ United Nations, Treaty Series, vol. 189, No. 2545.

10/ Ibid., vol. 606, No. 8791.

Reaffirming also the purely humanitarian and non-political character of the activities of the Office of the High Commissioner, as well as the crucial importance of the High Commissioner's functions of providing international protection to refugees and seeking solutions to refugee problems,

Welcoming the continuing strong commitment of States to providing protection and assistance to refugees and the valuable support extended by Governments to the High Commissioner in carrying out her humanitarian tasks,

Also welcoming the strong commitment made by States in the Programme of Action adopted by the International Conference on Population and Development, 11/ held at Cairo from 5 to 13 September 1994, to the institution of asylum and to refugees and displaced persons,

Emphasizing the need for States to assist the High Commissioner in seeking durable and timely solutions to the problems of refugees, to take part in efforts to prevent conditions that might give rise to the flight of refugees, and to address the root causes of refugee outflows, and underlining, in this connection, State responsibility, particularly as it relates to countries of origin,

Commending the High Commissioner and her staff for the competent, courageous and dedicated manner in which they discharge their responsibilities, paying tribute to those staff members who have endangered their lives in the course of their duties, and noting with profound regret the deaths of staff members as a consequence of violent events in several countries around the world,

Also commending those States, particularly the least developed and those hosting millions of refugees over long periods of time, which, despite severe economic, development and environmental challenges of their own, continue to admit large numbers of refugees into their territories, and emphasizing the need to share the burden of those States to the maximum extent possible through international assistance, including development-oriented assistance and assistance related to the impact on the environment of the large numbers of refugees and displaced persons of concern to the Office of the High Commissioner,

Noting with concern that the number of refugees and other persons to whom the Office of the High Commissioner is called upon to provide assistance and protection has continued to increase and that their protection continues to be seriously jeopardized in many situations as a result of denial of admission, unlawful expulsion, refoulement, unjustified detention, other threats to their personal security, dignity and well-being and failure to respect and ensure their fundamental freedoms and human rights,

Recognizing that, in certain regions, the misuse by individuals of asylum procedures jeopardizes the institution of asylum and adversely affects the prompt and effective protection of refugees,

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11/ A/CONF.171/13, chap. I, resolution 1, annex.

Noting that the involuntary displacement of persons within their own countries remains a problem of grave humanitarian concern, and that the many and varied underlying causes of involuntary internal displacement and of refugee movements are similar in numerous cases,

Recognizing that actions by the international community, in consultation and coordination with the State concerned, on behalf of the internally displaced may contribute to the easing of tensions and the resolution of problems resulting in displacement, and constitute important components of a comprehensive approach to the prevention and solution of refugee problems,

Noting that, in a number of instances, the internally displaced are present alongside refugees, returnees or a vulnerable local population, in situations where it is neither reasonable nor feasible to treat the categories differently in responding to their needs for assistance and protection,

Welcoming the continuing efforts of the High Commissioner to meet the protection and assistance needs of refugee women and children, who constitute the majority of the world's refugee population and who are often exposed to serious threats to their safety and well-being,

Noting with concern the persistent problems of stateless persons in various regions and the emergence of new situations of statelessness,

1. Strongly reaffirms the fundamental importance of the function of the United Nations High Commissioner for Refugees of providing international protection to refugees and the need for States to cooperate fully with her Office in order to facilitate the effective exercise of that function;

2. Calls upon all States that have not yet done so to accede or declare succession to and to implement fully the 1951 Convention and the 1967 Protocol relating to the Status of Refugees and relevant regional instruments for the protection of refugees;

3. Deplores the fact that in certain situations refugees and returnees and other persons of concern to the Office of the High Commissioner have been subjected to armed attack, murder, rape and other violations of or threats to their personal security and other fundamental rights and that incidents of refoulement and denial of access to safety have occurred, and calls upon States to take all measures necessary to ensure respect for the principles of refugee protection and the humane treatment of asylum-seekers in accordance with internationally recognized human rights norms;

4. Calls upon all States to uphold asylum as an indispensable instrument for the international protection of refugees, and to respect scrupulously the fundamental principle of non-refoulement;

5. Reiterates the importance of ensuring access, for all persons seeking international protection, to fair and efficient procedures for the determination of refugee status or, as appropriate, to other mechanisms to ensure that persons in need of international protection are identified and granted such protection,

while not diminishing the protection afforded to refugees under the terms of the 1951 Convention, the 1967 Protocol and relevant regional instruments;

6. Calls upon all States to assist and support the High Commissioner's efforts to continue to provide international protection and assistance, in accordance with the relevant General Assembly resolutions, to persons who have been forced to flee or to remain outside their countries of origin as a result of danger to their life or freedom owing to situations of conflict, and to seek solutions to the problems arising from their forced displacement;

7. Recognizes the desirability of exploring further measures to ensure international protection to all who need it, including temporary protection and other forms of asylum oriented towards repatriation, in situations of conflict or persecution involving large-scale outflows and in which return home is considered the most appropriate durable solution, and encourages the High Commissioner to continue to promote international cooperation and to engage in further consultations and discussions concerning measures to achieve this objective, acknowledging the value of regional arrangements in this regard;

8. Stresses the importance of international solidarity and burden-sharing in reinforcing the international protection of refugees, and urges all States, and relevant non-governmental organizations, in conjunction with the Office of the High Commissioner, to cooperate in efforts to lighten the burden borne by States that have received large numbers of asylum-seekers and refugees;

9. Reiterates that voluntary repatriation, when it is feasible, is the ideal solution to refugee problems, calls upon countries of origin, countries of asylum, the Office of the High Commissioner and the international community as a whole to do everything possible to enable refugees to exercise freely their right to return home in safety and dignity, ensuring that international protection continues to be extended until that time, and assisting, where needed, the return and reintegration of repatriating refugees, and further calls upon the High Commissioner, in cooperation with States concerned, to promote, facilitate and coordinate the voluntary repatriation of refugees, including the monitoring of their safety and well-being on return;

10. Calls for a more concerted response by the international community to the needs of internally displaced persons and, in accordance with its resolution 48/116, reaffirms its support for the High Commissioner's efforts, on the basis of specific requests from the Secretary-General or the competent principal organs of the United Nations and with the consent of the State concerned, and taking into account the complementarities of the mandates and expertise of other relevant organizations, to provide humanitarian assistance and protection to such persons, emphasizing that activities on behalf of internally displaced persons must not undermine the institution of asylum, including the right to seek and enjoy in other countries asylum from persecution;

11. Calls upon the international community to provide timely and speedy humanitarian assistance and support to countries affected by internal displacement to help them fulfil their responsibility towards the displaced;

12. Calls, likewise, upon States and all parties to conflicts to take all possible necessary measures to ensure impartial, safe and timely humanitarian access to persons in need of protection and assistance;

13. Acknowledges the continuing close cooperation between the High Commissioner and the representative of the Secretary-General on internally displaced persons in the exercise of his mandate, and recognizes the importance of their close cooperation, and of cooperation with the International Committee of the Red Cross, with respect to prevention, protection, humanitarian assistance and solutions;

14. Encourages the High Commissioner to continue to support the coordination role of the Emergency Relief Coordinator, especially in major and complex emergencies;

15. Underlines the need for further progress by the United Nations system in addressing in a coherent and mutually supportive manner humanitarian assistance, rehabilitation and development activities, especially in countries to which refugees are returning voluntarily, and calls upon the Economic and Social Council to review the complementarities of relevant United Nations organizations in this regard;

16. Emphasizes the need, particularly in complex emergencies that include humanitarian and peace-keeping operations, to ensure respect for the High Commissioner's protection mandate and to preserve the impartial and purely humanitarian nature of the activities of the Office;

17. Expresses profound concern at conditions in a number of countries and regions that seriously endanger the security of the staff of the Office of the High Commissioner and other relief workers, deplores the loss of lives among such personnel, urges support for initiatives taken by the High Commissioner and within the General Assembly and the Security Council concerning the safety of United Nations and associated personnel, in particular the consideration of new measures to enhance the safety of such personnel, and calls upon States and all parties to conflicts to take all necessary measures to ensure the security of international and local staff undertaking humanitarian work in the countries concerned;

18. Urges the High Commissioner, Governments and other relevant organizations to intensify efforts to respond to the protection and assistance needs of refugee children, particularly those of unaccompanied minors, and calls upon States to safeguard the security of refugee children and to ensure that they are not recruited into the military or other armed groups;

19. Encourages the High Commissioner to continue to undertake initiatives for refugee women in the areas of leadership and skills training, legal awareness and education and, in particular, in the area of reproductive health, with full respect for the various religious and ethical values and cultural backgrounds of the refugees, in conformity with universally recognized international human rights;

20. Calls upon States to assist the High Commissioner to fulfil her responsibilities, under General Assembly resolution 3274 (XXIX) of 10 December 1974, with respect to the reduction of statelessness, including the promotion of accessions to and full implementation of international instruments relating to statelessness;

21. Notes the relationship between safeguarding human rights and preventing refugee situations, and welcomes the High Commissioner's growing cooperation with the United Nations High Commissioner for Human Rights and her continued cooperation with the Centre for Human Rights of the Secretariat and the Commission on Human Rights;

22. Reaffirms the importance of incorporating environmental considerations into the programmes of the Office of the High Commissioner, especially in the least developed and developing countries which have hosted refugees over long periods of time, in view of the impact on the environment of the large numbers of refugees and displaced persons of concern to the Office of the High Commissioner;

23. Welcomes efforts to strengthen collaboration among Governments, the Office of the High Commissioner and non-governmental organizations, including through the Partnership in Action process, and encourages non-governmental organizations, Governments and the Office of the High Commissioner to identify areas for further cooperation;

24. Calls upon all Governments and other donors to contribute to the programmes of the Office of the High Commissioner and, taking into account the effect on host countries of the increasing requirements of large refugee populations and the need to widen the donor base and to achieve greater burden-sharing among donors, to assist the High Commissioner in securing additional and timely income from traditional governmental sources, other Governments and the private sector in order to ensure that the needs of refugees, returnees and displaced persons of concern to the Office of the High Commissioner are met.

Draft resolution II

New international humanitarian order

The General Assembly,

Recalling its resolution 47/106 of 16 December 1992 and other pertinent resolutions 12/ relating to the promotion of a new international humanitarian order and of international cooperation in the humanitarian field,

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12/ Resolutions 36/136 of 14 December 1981, 37/201 of 18 December 1982, 38/125 of 16 December 1983, 40/126 of 13 December 1985, 42/120 and 42/121 of 7 December 1987, 43/129 and 43/130 of 8 December 1988 and 45/101 and 45/102 of 14 December 1990.

Taking note of the report of the Secretary-General 13/ and the previous reports 14/ containing the comments and views of Governments, specialized agencies and non-governmental organizations,

Noting that a number of Governments have not yet submitted their comments in regard to the above-mentioned resolutions,

1. Expresses its appreciation to the Secretary-General for his continuing support for the efforts to promote a new international humanitarian order;

2. Urges Governments and governmental and non-governmental organizations that have not yet done so to provide their comments and views to the Secretary-General regarding the promotion of the new international humanitarian order;

3. Requests Governments to make available to the Secretary-General, on a voluntary basis, information and expertise on humanitarian issues of special concern to them within their own countries, in order to identify opportunities for future action;

4. Invites the Independent Bureau for Humanitarian Issues to continue and further strengthen its activities in cooperation with the Governments and the governmental and non-governmental bodies concerned;

5. Requests the Secretary-General to remain in contact with Governments and non-governmental organizations and the Independent Bureau for Humanitarian Issues in order to report on the progress made by them to the General Assembly at its fifty-first session;

6. Decides to review at its fifty-first session the question of a new international humanitarian order.

Draft resolution III

Enlargement of the Executive Committee of the Programme of the United Nations High Commissioner for Refugees

The General Assembly,

Taking note of Economic and Social Council decision 1994/235 of 21 July 1994 concerning the enlargement of the Executive Committee of the Programme of the United Nations High Commissioner for Refugees,

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13/ A/49/577.

14/ A/37/145, A/38/450, A/40/358 and Add.1 and 2, A/41/472, A/43/734 and Add.1, A/45/524 and A/47/352.

Taking note also of the notes verbales dated 28 June 1993 from the Permanent Representative of Bangladesh to the United Nations, 15/ 23 December 1993 from the Permanent Mission of the Russian Federation to the United Nations 16/ and 28 December 1993 from the Permanent Representative of India to the United Nations 17/ addressed to the Secretary-General relating to the enlargement of the Executive Committee,

1. Decides to increase the number of members of the Executive Committee of the Programme of the United Nations High Commissioner for Refugees from forty-seven to fifty States;

2. Requests the Economic and Social Council to elect the three additional members at its resumed organizational session of 1995.

Draft resolution IV

Assistance to unaccompanied refugee minors

The General Assembly,

Having considered the note and the report of the Secretary-General, 18/ and the report of the United Nations High Commissioner for Refugees, 19/

Aware that the majority of the refugee population are children and women,

Bearing in mind that unaccompanied refugee minors are among the most vulnerable refugees and require special assistance and care,

Mindful of the fact that the ultimate solution to the plight of those unaccompanied minors is their return to and reunification with their families,

Noting with satisfaction that the Office of the United Nations High Commissioner for Refugees has developed revised Guidelines on Refugee Children, issued in May 1994,

Noting with appreciation the efforts of the High Commissioner to ensure the protection and assistance of refugees, including refugee children and unaccompanied minors,

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15/ E/1994/7.

16/ E/1994/8.

17/ E/1994/9.

18/ A/49/411 and A/49/643.

19/ Official Records of the General Assembly, Forty-ninth Session, Supplement No. 12 and addendum (A/49/12 and Add.1).

Recalling the provisions concerning the protection of refugee minors of the Convention on the Rights of the Child 20/ and the 1951 Convention 21/ and the 1967 Protocol 22/ relating to the Status of Refugees,

1. Expresses its deep concern at the plight of unaccompanied refugee minors and emphasizes the need for their early identification and for timely, detailed and accurate information on their number and whereabouts;

2. Calls upon all Governments, the Secretary-General, the United Nations High Commissioner for Refugees and all other United Nations organizations and non-governmental organizations concerned to exert the maximum effort to assist and protect refugee minors and to expedite the return to and reunification with their families of unaccompanied refugee minors;

3. Requests the Office of the United Nations High Commissioner for Refugees and other United Nations organizations concerned to take appropriate steps to mobilize resources commensurate to the needs and interests of the unaccompanied refugee minors and for their reunification with their families;

4. Condemns all acts of exploiting the unaccompanied refugee minors, including their use as soldiers or human shields in armed conflict and their recruitment in military forces, and any other acts that endanger their safety and personal security;

5. Calls upon the Secretary-General, the High Commissioner, the Department of Humanitarian Affairs of the Secretariat, the United Nations Children's Fund and other United Nations organizations to mobilize adequate assistance, within existing resources, to unaccompanied minors in the areas of relief, education, health and psychological rehabilitation;

6. Requests the Secretary-General to report to the General Assembly at its fiftieth session on the implementation of the present resolution.

Draft resolution V

Comprehensive consideration and review of the problems of refugees, returnees, displaced persons and related migratory movements

The General Assembly,

Recalling its resolution 48/113 of 20 December 1993,

20/ Resolution 44/25.

21/ United Nations, Treaty Series, vol. 189, No. 2545.

22/ Ibid., vol. 606, No. 8791.

Having considered the report of the Secretary-General 23/ and the concerns expressed therein about the magnitude of existing and potential refugee and related migratory movements in the countries of the Commonwealth of Independent States and relevant neighbouring States,

Reaffirming the need for the international community to consider comprehensive approaches for the coordination of action with regard to refugees, returnees, displaced persons and related migratory movements,

1. Calls upon the United Nations High Commissioner for Refugees, in consultation with concerned States and in coordination with relevant intergovernmental, regional and non-governmental organizations, to continue to consider comprehensive regional approaches to the problems of refugees and displaced persons;

2. Also calls upon the High Commissioner to continue her efforts to promote and develop a preparatory process, leading to the convening, not later than 1996, of a regional conference to address the problems of refugees, displaced persons, other forms of involuntary displacement and returnees in the countries of the Commonwealth of Independent States and relevant neighbouring States, and urges States and the intergovernmental, regional and non-governmental organizations concerned to support that process, including follow-up measures;

3. Requests the Secretary-General to report to the General Assembly at its fiftieth session on the implementation of the present resolution.

Draft resolution VI

Assistance to refugees, returnees and displaced persons in Africa

The General Assembly,

Recalling its resolution 48/118 of 20 December 1993,

Having considered the report of the Secretary-General 24/ and the report of the United Nations High Commissioner for Refugees, 25/

Bearing in mind that most of the affected countries are least developed countries,

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23/ A/49/533.

24/ A/49/578.

25/ Official Records of the General Assembly, Forty-ninth Session, Supplement No. 12 and addendum (A/49/12 and Add.1).

Convinced of the necessity to strengthen the capacity within the United Nations system for the implementation and overall coordination of relief programmes for refugees, returnees and displaced persons,

Welcoming the prospects for voluntary repatriation and durable solutions throughout Africa,

Recognizing the need for States to create conditions conducive to the prevention of flows of refugees and displaced persons and to voluntary repatriation,

Bearing in mind that the majority of refugees and displaced persons are women and children,

Noting with deep gratitude the readiness and willingness with which States members of the Organization of African Unity have always received refugees and displaced persons in spite of the economic difficulties facing most African States,

Realizing the importance of assisting the host countries, in particular those countries that have been hosting refugees for a long time, to remedy environmental deterioration and the negative effects on public services and the development process,

Recognizing the mandate of the High Commissioner to protect and assist refugees and returnees and the catalytic role she plays, together with the international community and development agencies, in addressing the broader issues of development relating to refugees, returnees and displaced persons,

Bearing in mind the necessity of facilitating the work of humanitarian organizations, in particular the supply of food, medicine and health care to refugees, returnees and displaced persons, deploring acts of aggression against personnel of humanitarian organizations, particularly those that have led to the loss of life, and stressing the need to guarantee the safety of the personnel of those organizations,

Deeply concerned about the continuing critical humanitarian situation in African countries, particularly in the Horn of Africa, caused by persistent drought, conflict and population movements,

Conscious of the situation of the refugees, returnees and displaced persons in east, west, central and southern Africa,

Welcoming regional efforts, such as the mechanism for conflict prevention, management and resolution established by the Assembly of Heads of State and Government of the Organization of African Unity at its twenty-ninth ordinary session, held at Cairo from 28 to 30 June 1993, 26/

26/ See A/48/322, annex II.

Taking into account resolution CM/Res.1521 (LX) on refugees, returnees and displaced persons in Africa, adopted by the Council of Ministers of the Organization of African Unity at its sixtieth ordinary session, held at Tunis from 6 to 11 June 1994, 27/

Deeply concerned by the massive presence of refugees and externally displaced persons in Djibouti, which represents 25 per cent of the total population of the country, and by their uninterrupted influx owing to the tragic situation in Somalia,

Deeply concerned also by the serious consequences of the presence of refugees and externally displaced persons for the already difficult economic and social situation in Djibouti, which is suffering from prolonged drought and the negative effects of the critical situation in the Horn of Africa,

Recognizing that more than half of the refugees and externally displaced persons in Djibouti are located in Djibouti City in most serious difficulties and without direct international assistance, exerting intolerable pressure on the limited resources of the country and the social infrastructure and causing, in particular, serious problems of security,

Also recognizing the need for cooperation between the Government of Djibouti and the High Commissioner and relevant organizations to find alternative solutions to the problem of refugees in Djibouti City and to mobilize the necessary external assistance to meet their specific needs,

Aware that the refugee population in the refugee camps throughout Djibouti is in a precarious situation, facing the threat of famine, malnutrition and disease, and that it needs adequate external assistance for the provision of foodstuff, medical assistance and the necessary infrastructure for shelter,

Also aware that Eritrea has been devastated by a thirty-year war, which ended in May 1991, and repeated droughts over the years, that its economy and resources have been destroyed and that it is starting anew,

Recognizing the massive task facing Eritrea of repatriating over half a million refugees, particularly from the Sudan, through its programme for refugee reintegration and rehabilitation of resettlement areas in Eritrea, and resettling voluntary returnees already in the country, internally displaced persons and demobilized former combatants, and the enormous burden that they have placed on the Government of Eritrea,

Recognizing also the need for cooperation between the Government of Eritrea and the Department of Humanitarian Affairs of the Secretariat and relevant organizations in order to mobilize the necessary international assistance to put the programmes of human resettlement into action in Eritrea,

Deeply concerned about the massive presence of refugees, voluntary returnees, displaced persons and demobilized soldiers in Ethiopia and the

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27/ See A/49/313, annex I.

enormous burden that this has placed on the infrastructure and meagre resources of the country,

Deeply concerned also about the grave consequences this has entailed for Ethiopia's capability to grapple with the effects of the prolonged drought and to rebuild the country's economy,

Aware of the heavy burden placed on the Government of Ethiopia and of the need for immediate and adequate assistance to refugees, voluntary returnees, displaced persons, demobilized soldiers and victims of natural disasters,

Deeply concerned about the burden that has been placed on the Government and people of Kenya because of the influx of refugees fleeing the strife in some neighbouring countries and the infiltration of armed bandits and highly dangerous illegal weapons from the situation obtaining in Somalia,

Aware of the need to improve the security situation in the region, particularly in the border areas, for the safety of the refugees, the local community and personnel involved in humanitarian activities,

Recognizing the great contribution and sacrifices that the Government of Kenya has made and continues to make in dealing with this situation,

Emphasizing the importance and necessity of continuing assistance to the refugees in Kenya, estimated to number more than two hundred and seventy thousand, until such time as this situation has changed,

Deeply concerned about the tragic impact that the civil war in Somalia continues to have on the lives of its people, affecting four to five million people who are either refugees in neighbouring countries or internally displaced and are in need of urgent humanitarian assistance,

Aware that the voluntary repatriation of large numbers of Somali refugees in neighbouring countries and elsewhere, as well as the return of internally displaced persons to their original homes, will still require a planned and integrated international assistance programme designed to cover their basic needs, ensure adequate reception arrangements and facilitate their smooth integration into their respective communities,

Convinced that it is necessary that humanitarian assistance to Somali refugees, returnees and displaced persons be mobilized urgently and delivered without delay in view of the deteriorating situation of the displaced persons and returnees and the mounting pressure the refugees continue to place on the host countries,

Appealing to the Somalis to implement the Addis Ababa Agreement on national reconciliation that the Somali leaders signed on 27 March 1993 in order to create an environment conducive to the repatriation of Somali refugees from the neighbouring countries,

Recognizing that the Sudan has been hosting large numbers of refugees over an extended period of time,

Aware of the economic difficulties facing the Government of the Sudan, and the need for adequate assistance for the refugees and displaced persons in the Sudan and the rehabilitation of the areas affected by their presence,

Commending the Government of the Sudan and the Office of the United Nations High Commissioner for Refugees for the efforts they have undertaken for the voluntary repatriation of the large numbers of refugees to their homelands,

Deeply concerned about the plight of Sudanese refugee children, particularly the problem of unaccompanied minors, and emphasizing the need for their protection, well-being and reunification with their families,

Considering that the repatriation and reintegration of returnees and the relocation of displaced persons are aggravated by natural disasters and that the process poses serious humanitarian, social and economic problems for the Government of Chad,

Cognizant of the appeal to Member States and intergovernmental and non-governmental organizations to continue to provide the necessary assistance to the Government of Chad to alleviate its problems and improve its abilities to implement the programme of repatriation, reintegration and relocation of voluntary returnees and displaced persons,

Noting with appreciation the continuing efforts of the Economic Community of West African States and the Organization of African Unity to restore peace, security and stability in Liberia, and the signing on 25 July 1993, at Cotonou, Benin, of the peace agreement between the Interim Government of National Unity of Liberia, the National Patriotic Front of Liberia and the United Liberation Movement of Liberia for Democracy, 28/ as well as the establishment of the United Nations Observer Mission in Liberia, aimed at bringing an end to the conflict,

Deeply concerned about the influx of internally displaced persons, returnees and refugees to Monrovia and the enormous burden this has placed on the infrastructure and fragile economy of the country,

Also deeply concerned that, despite the efforts made to provide the necessary material and financial assistance for the refugees, returnees and displaced persons, the situation remains unsettled and has serious implications for the long-term national development of Liberia, as well as for those west African countries hosting Liberian refugees,

Bearing in mind the continuing need to provide emergency humanitarian assistance to Liberian refugees, returnees and displaced persons, since the security situation is not yet propitious for the conduct of large-scale voluntary repatriation and reintegration,

Deeply concerned about the influx of refugees into Burundi, Uganda, the United Republic of Tanzania and Zaire following the recent crisis in Rwanda,

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28/ S/26272, annex.

Considering the alarming situation of internally displaced persons in Burundi and Rwanda,

Emphasizing the need for structured and coordinated action by all parties to assist the Government of Rwanda in the rehabilitation, reconstruction and normalization of civil society in that country and to complement the activities of the Office of the High Commissioner related to repatriation,

Welcoming the ongoing repatriation programmes for refugees in some southern African countries,

Convinced that, because of the serious economic situation arising from the effects of persistent drought in southern Africa and the impact on some countries in the region of having hosted large numbers of refugees, there is a continuing need for the international community to extend maximum and concerted assistance to the southern African countries sheltering refugees, returnees and displaced persons,

Welcoming with appreciation the ongoing activities of the High Commissioner for the voluntary repatriation and reintegration of South African returnees,

Recognizing the need to integrate refugee-related development projects in local and national development plans,

1. Takes note of the report of the Secretary-General and the report of the United Nations High Commissioner for Refugees;

2. Commends the Governments concerned for their sacrifices, for providing assistance to refugees, returnees and displaced persons and for their efforts to promote voluntary repatriation and other measures taken in order to find appropriate and lasting solutions;

3. Expresses deep concern at the serious and far-reaching consequences of the presence of large numbers of refugees and displaced persons in the countries concerned and the implications for the security environment and their long-term socio-economic development;

4. Expresses its appreciation to the Secretary-General, the High Commissioner, the specialized agencies, the International Committee of the Red Cross, donor countries and intergovernmental and non-governmental organizations for their assistance in mitigating the plight of the large number of refugees, returnees and displaced persons;

5. Expresses the hope that additional resources will be made available for general refugee programmes to keep pace with refugee needs;

6. Expresses its gratitude to the international community for the humanitarian assistance it has continued to render to refugees and displaced persons and to the countries of asylum, and calls upon it to continue to provide assistance to the millions of refugees and displaced persons in Africa;

7. Calls upon Governments, United Nations organizations, non-governmental organizations and the international community as a whole to strengthen the emergency response capacity of the Office of the High Commissioner on the basis of the experience of the emergency in Rwanda, and to continue providing needed resources and operational support to assist Rwandese refugees and the host countries until a permanent solution can be implemented;

8. Also calls upon the international donor community to provide material and financial assistance for the implementation of programmes intended for the rehabilitation of the environment and infrastructure in areas affected by refugees in countries of asylum;

9. Further calls upon Member States and intergovernmental and non-governmental organizations to continue to provide the necessary support and financial assistance to the High Commissioner to enhance her capacities and abilities to implement emergency operations, care and maintenance activities and repatriation and reintegration programmes for the benefit of refugees, returnees and, as appropriate, certain groups of internally displaced persons;

10. Appeals to Member States and international and non-governmental organizations to provide adequate financial, material and technical assistance for relief and rehabilitation programmes for the large number of refugees, voluntary returnees and displaced persons and victims of natural disasters and to the affected countries;

11. Requests all Governments and intergovernmental and non-governmental organizations to pay particular attention to meeting the special needs of refugee women and children;

12. Calls upon the Secretary-General, the High Commissioner, the Department of Humanitarian Affairs of the Secretariat and United Nations humanitarian organizations to continue their efforts to mobilize humanitarian assistance for the relief, repatriation, rehabilitation and resettlement of refugees, returnees and displaced persons, including those refugees in urban areas;

13. Requests the Secretary-General to continue his efforts to mobilize adequate financial and material assistance for the full implementation of present and future projects in rural and urban areas affected by the presence of refugees, returnees and displaced persons;

14. Requests the High Commissioner to continue her efforts with the appropriate United Nations organizations, the Organization of African Unity and intergovernmental, governmental and non-governmental organizations to consolidate and increase essential services to refugees, returnees and displaced persons;

15. Also requests the High Commissioner to review her general programmes in Africa, taking into account the increasing requirements in that region;

16. Requests the Secretary-General to submit a comprehensive and consolidated report on the situation of refugees, returnees and displaced

persons in Africa to the General Assembly at its fiftieth session, under the item entitled "Report of the United Nations High Commissioner for Refugees, questions relating to refugees, returnees and displaced persons and humanitarian questions", and an oral report to the Economic and Social Council at its substantive session of 1995.

31. The Third Committee also recommends to the General Assembly the adoption of the following draft decision:

Documents considered by the General Assembly in connection with the question of the report of the United Nations High Commissioner for Refugees, questions relating to refugees, returnees and displaced persons and humanitarian questions

The General Assembly takes note of the following documents:

(a) Report of the Secretary-General on emergency international assistance to refugees and displaced persons in Azerbaijan; 29/

(b) Report of the Secretary-General on the International Conference on Central American Refugees. 30/

29/ A/49/380 and Add.1.

30/ A/49/534.